UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

OMNI INNOVATIONS, LLC, Plaintiffs, v. SMARTBARGAINS.COM, LP, Defendant.	CASE NO. C06-1129C ORDER

This matter comes before the Court on the Defendant's Motion to Dismiss Plaintiffs' CAN-SPAM Claims or to Stay this Litigation (Dkt. No. 13). Defendant points out that similar issues of law to those in the present matter are being litigated in another matter before this Court, *Gordon v. Virtumundo*, CV06-0204-JCC (W.D. Wash.) (Coughenour, J.). Plaintiffs do not oppose the granting of a stay.

Defendant's motion is hereby GRANTED IN PART and DENIED IN PART. The case is STAYED pending resolution in *Gordon v. Virtumundo*, CV06-0204-JCC. Within thirty days of the resolution of that matter, the parties shall submit a joint status report, advising the Court as to whether the stay should be lifted. Defendant's motion to dismiss Plaintiffs' claims is DENIED WITHOUT PREJUDICE to refiling after the stay has been lifted.

SO ORDERED this 17th day of April, 2007.

John C. Coughenour
United States District Judge

Dockets.Justia.com